

Submission to the review of Department of Housing homeless figures

Introduction

In statements related to the issuing of the March 2018 homeless figures, the Minister for Housing, Eoghan Murphy, has indicated that a review is being undertaken in relation to the methodology for compiling the official statistics on homelessness.

While a number of families were re-categorised in the published March figures, it was also indicated that other reports are awaited, from the Dublin Regional Homeless Executive and the Homeless Inter-Agency Group, which would be taken into account in finalizing decisions on how the homeless statistics are compiled in future.

Focus Ireland is committed to tackling homelessness through measures that prevent people becoming homeless and support sustained exits from homelessness. We believe that regular, reliable and transparent data on homelessness is essential both for national policy and practice, but also for our own understanding of the impact of our services. Focus Ireland has considerable international expertise on the compilation of homeless data, participating in the FEANTSA Data Collection Working Group and the European Observatory on Homelessness, and our expert views have been sought by the CSO in relation to the census collection of homeless information.

Focus Ireland participated actively in all previous reviews of how homeless statistics are collated, and in that light, we put forward the following submission for consideration during the current review.

Background to homeless statistics

There have been a number of different attempts to define and measure the level of homelessness over the last 30 years, and it is important to review the lessons of these measures so as to avoid repeating the mistakes of the past.

The landmark Housing Act of 1988 introduced not only the definition of homelessness which is still in use, but also required local authorities to carry out an assessment of the level of homelessness at least every three years. These reviews of homelessness were carried out along with the more general Housing Needs Assessment (HNA). However, lack of clarity about what should actually be counted as homelessness resulted in different local authorities essentially counting different things. As a result, the figures produced were of limited value for policy purposes.

The HNA continues to be compiled, now on an annual basis and published by the Housing Agency. This report continues to include details of the number of people categorized as 'homeless' on the

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local authority housing waiting lists. The methodological problems with this approach are still evident, however, and the most recent report contains three different figures for homelessness, despite the fact that all three come from the same sources and are intended to measure the same thing.

In 1999, as the preparations were underway for the first National Homelessness Strategy, a new approach was taken to measuring homelessness. Called 'Counted in', this approach involved a detailed survey of all homeless facilities over a given period. The count was to take place every three years, but more regular counts were regularly proposed. The first counts were undertaken by the ESRI while later counts were undertaken by the Homeless Agency (the forerunner of the DRHE), with the active involvement of service providers. Particularly in the later 'counted in' surveys, extensive efforts were made to reconcile the survey data with the housing list data from the HNA.

'Counted in' produced detailed information on the characteristics and needs of people who were homeless but had a number of limitations, in particular the three year gap meant it was not effective at assessing the impact of new policy measures or changing circumstances. In the early stages 'Counted in' was only undertaken in Dublin. These limitations were difficult to address because the methodology was considered expensive and time-consuming. The last 'Counted in' survey was in 2008, and in 2011 the DRHE decided to discontinue the survey, citing the excessive costs involved as the primary reason.

There was no reliable measure of homelessness between 2008 and 2014, a period which it turns out would have been crucial in putting in place timely responses to our current homeless crisis.

During this period the homeless organisations, including Focus Ireland, strongly argued for some form of regular and reliable assessment of homelessness. In 2013 the then Department of Environment responded to these calls by establishing a sub-committee of the National Consultative Committee on Homelessness to make recommendations on how this should be done.

This sub-committee included not only Departmental and DRHE staff but also nominees from the local authorities and from the voluntary sector. It was chaired by Prof. Eoin O'Sullivan.

The sub-committee considered the ETHOS framework for understanding homelessness. This approach recognizes that a number of concerns interact to shape our understanding of homelessness – the need for physical shelter, the need for legal security and the need for private social space.¹ The absence of all three domains is the most extreme form of homelessness – rough-sleeping. But the absence of any of these features can result in some form of homelessness. While this framework is extremely important in understanding homelessness it does not readily provide a practical system for regularly measuring how many people are homeless.

¹ Busch-Geertsema, V., 2010. Defining and measuring homelessness. *Homelessness Research in Europe: Festschrift for Bill Edgar and Joe Doherty*, pp.19-39. https://www.researchgate.net/profile/Volker_Busch-Geertsema/publication/268055088_Defining_and_Measuring_Homelessness/links/5469bc230cf20dedafd0f0c0/Defining-and-Measuring-Homelessness.pdf

The sub-committee unanimously agrees that, for a range of conceptual and practical reasons, there is no single measurement of 'homelessness'. Any measure which is adopted could be critiqued for excluding certain groups or experiences or for including others. For many people experiences of homelessness are fluid, and in reality, large numbers of people move through different forms of precarious housing in ways which are extremely hard to measure. The committee came to the collective view that it is important to select a measure which is 'broadly accurate', and to ensure that data collection was not excessively demanding on resources and did not create protracted and time-consuming debates about particular circumstances on the margins of the measurement.

For these reasons it was agreed to recommend that the measure be based on the administrative data collected on PASS. The definition of what was to be measured was 'people residing in emergency accommodation paid for by Section 10 funding.' The definition of 'emergency accommodation' is normally fairly self-explanatory, but where there is doubt was understood to mean accommodation where no tenancy agreement is in place.

In addition to its practical benefits, this approach has the benefit of linking the 'homeless statistics' with the legally defined practice of local authorities. For a household to be provided with accommodation using Section 10 funding they must have been assessed as actually being homeless under Section 2 of the same act. The agreed measure is therefore particularly useful to the Department of Housing and local authorities as it measures exactly the form of homelessness which drives departmental expenditure.

It was recognized that there are number of homeless facilities which would be excluded from these figures, notably non-Section 10 funded homeless accommodation run by voluntary organisations (e.g. entirely donor funded facilities) and facilities funded by other Departments (e.g. domestic violence shelters). It was agreed to explore the extent of these issues.

A detailed survey was undertaken of homeless facilities not funded by Section 10. The results of this survey indicated that while a number of individuals were accommodated in privately funded homeless shelters, the number did not materially change the picture of the extent of homelessness. It was agreed that, while this fact needed to be taken into account in policy interventions, the survey did not need to be repeated on an on-going basis, nor did these individuals need to be included in the reported figure.

The Department of Environment raised the issue of the numbers in Domestic Violence shelters with the Department of Children and Youth Affairs and various administrative issues came to light. We understand these continue to be pursued by the DCYA and Tusla. Again, while it was agreed that the inclusion of households in such shelters would be in line with the Ethos typology and would result in a more accurate picture of homelessness, they would not materially impact on the reliability of the picture available from the PASS data.

The group recommended that the figures be published on a quarterly basis. The Department of Environment and DRHE decided that it was not overly onerous to produce the figures on a monthly

basis and that this would provide a more meaningful picture, and decided to publish on a monthly basis from July 2014.

Despite the pressure of rising homelessness since 2014, and the tensions that this inevitably creates, the reliability of this data series has been remarkably widely accepted by all stakeholders, and has been crucial in framing the responses in Rebuilding Ireland and elsewhere.

Focus Ireland has proposed that the collection and publication of this data could usefully be transferred to the CSO, in much the same way at the CSO collates and publishes other Departmental administrative data, such as the Live Register. However, this proposal specifically relates to the publication of the existing data as derived from PASS. We do not support proposals, such as those recently raised by the Taoiseach, that the CSO should be asked to look at alternative means of measuring homelessness or that the present series should be discontinued while the CSO reviews such proposals.

The March 2017 changes

The statement accompanying the March 2017 figures² included a notice that ‘a categorization error’ had been identified. It went on to state that:

“A number of local authorities have erroneously categorised individuals and families living in local authority owned or leased housing stock, including in some instances people renting in the private sector but in receipt of social housing supports, as being in emergency accommodation. To date at least 600 individuals have been identified as having been categorised as homeless and in emergency accommodation when they are not.”

Regrettably, the published report on the Departmental website for March 2017 does not include any reference to any changes of categorization and no effort has been made to revise the figures for earlier months so they are comparable with the latest data, and a revised picture of trends can be determined.

The absence of a published detailed statement setting out the specific ‘re-categorisations’ involved and an explanation of the reasons behind each decision makes it difficult to come to an independent assessment of the validity of the changes. Speaking at the Oireachtas Committee on Housing, the Minister has asked that people withhold judgement on these changes until the reports on which the decisions were taken are completed and published. It seems fair to say that it would have similarly been helpful if the Department has delayed making changes until the reports were completed and available. The process has been, in itself, unnecessarily damaging to the credibility of the statistical series; even if the changes are shown to be fully justified when the reports are published, it would

² “Minister Murphy’s Statement on March Homeless Figures” 30.04.18
<http://www.housing.gov.ie/housing/homelessness/minister-murphys-statement-march-homeless-figures>

have been preferable to have completed the full review process, explained the changes in detail, and also rebased the full statistical series.

However, piecing together available evidence from Oireachtas debates and media coverage, it would appear that the 're-categorised' families fall into two groups:

- A relatively small number of families living in accommodation primarily funded by the Housing Assistance Payment, but where Section 10 funding was used to supplement the rent level required by the landlord. Section 10 funding was used in this case because the Department of Housing regulations in relation to HAP only allowed the local authority to exceed the HAP maximum rent guideline by 20%.
- In the large majority of cases, the households removed were living in accommodation which, although it was fully funded by Section 10 funding was 'self-contained' and to which the family has independent access ("had their own key").

The first case appears to be a form of financing of accommodation which was not considered by the NCCH Sub-Committee. The committee envisaged that any emergency accommodation would be fully paid for under Section 10. On the evidence available to us, it appears reasonable to say that where Section 10 funding is providing only a small portion of the overall cost of the accommodation, the households might reasonably not be included in homeless statistics under the existing definition, and that this is a correction within the definition used since 2014³.

The second, and much larger, set of cases is quite different. There seems to be no doubt that these households fall completely within the category used to compile the homeless data since 2014 – they have been assessed as homeless by their local authority and they are being provided with accommodation using a 'license' or 'transitional housing' agreement rather than a legal tenancy. What appears to have triggered the re-categorisation in these cases appears to be the physical nature of the properties used as emergency accommodation. In these cases the local authorities have used Section 10 funding not to rent a hotel room or a 'Family Hub' but an actual housing unit which might otherwise be used as an actual home.

The Minister told the Dáil:

"I am satisfied that individuals and families who are being accommodated in publicly funded houses or apartments, whether it be social housing or homes leased from the private rented sector, should not be considered as living in emergency accommodation."

³ However this raises a number of further issues. While it is recognized that local authorities came up with this innovative approach in the use of Section 10 funding to solve practical problems, there is some doubt as to whether this is a lawful use of this funding line: if the families are not be counted as 'homeless' it is unclear how a funding-line legally dedicated to people have been assessed as homeless can be used. The fact that the local authority has to resort to such hybrid innovations points the fact that the Department's HAP rent guidelines have no relationship with market rents required by landlords.

It seems clear that this is not a matter of correcting a categorization error, but of introducing a new factor into the definition of what is being counted.

That is not to say that the point being made is unreasonable. Anyone first coming to think about the reality of homelessness and how we respond to it is likely to ask how someone living in such housing units can be considered as 'homeless'. This is particularly true given that many members of the public consider the only 'real' form of homelessness to be rough-sleeping. The on-line 'discussion forums' related to articles on family homelessness are full of people commenting that families living in hotel rooms are 'not really homeless'. If we were having a conceptual discussion of homelessness, the response would be to say that while this is clearly a 'preferable' form of homelessness because it provides for the 'private space' required of a home; but since it does not provide the 'legal security' it remains a form of homelessness. If we were having a legal discussion on the issue, the response would be that the families have been assessed as homeless under Section 2 of the Housing Act, and the provision of temporary accommodation is funded because they are homeless and the local authority still considers them homeless and is seeking appropriate non-homeless accommodation for them.

While Focus Ireland is clear about where we stand on both these conceptual and legal arguments, we recognize that they are matters in which reasonable people might reasonably take different views. We also know from experience that such discussions take up a lot of energy and time, and are largely pointless.

It is precisely because of the futile and time consuming nature of such conceptual/legal discussions that the NCCH Sub-Committee recommended, and the Department of Housing adopted, a straightforward administrative measure of homelessness be adopted in 2014. Inadvertently, the precipitous approach to concerns about the March figures runs the real risk of bringing us back to the contested and unproductive debates of more than a decade ago, so well outlined by Dr. Nat O'Connor in his 2008 paper for the DRHE.⁴

Responses to the changes

The actual statistical changes in the March homeless figures coincided with number of other press reports which allegedly came from sources close to the Minister:

- That the homeless statistics would only be published quarterly
- That there are a large number of non-EU nationals included in the figures and that these should not be included
- That there are over 2,000 people included in the figures who are in long-term medical care and should not be considered homeless

⁴ O'Connor, N. (2008) Can we agree the number of people who are homeless (and does it really matter?). In Downey, D. (Ed) Perspectives on Irish Homelessness : Past, Present and Future. (Dublin: Homeless Agency) pp. 58-63

While it is acknowledged that neither the Minister nor the Department can control what is published in the media, these comments served to further undermine the validity of the official figures on homelessness. The changes in the March figures have also prompted expressions of concern from a number of local authorities. Many local authorities have pointed out that they have assessed these families as homeless under the Act, and do not consider that their housing need has yet been met. It therefore follows that these families continue to be part of the 'outstanding work' that the local authorities need to complete, as well as continuing to require support from the homeless budget. By omitting them from the official homeless figures, the figures become less representative of the work being undertaken by the local authorities. The public divergence between the views of the Department of Housing and the local authorities is not helpful in the collective task of addressing homelessness.

A greater matter of concern is the extent to which this new definition of homelessness is already driving actual practice. The Childers Road Family Hub in Limerick, which is managed by Focus Ireland on behalf of Limerick City and County Council (LCCC), provides 30 units of self-contained emergency accommodation to families assessed as homeless. The decision has now been taken to turn these units into long-term homes by providing the families with full tenancies. While the provision of long-term tenancies to these families is, of course, welcome and was always part of the long-term agreement between Focus Ireland and LCCC, the timing of this appears to be entirely driven by the impact on the official statistics. Good practice would involve a much longer lead in time to such a move, allowing consultation with the families involved and assessment of their support needs. The move also undermines LCCC's action plan on homelessness and forces them to revert to the use of lower standard B&Bs for families becoming homeless.

Conclusions and Recommendations

1. It is of vital importance in tackling the homeless crisis that the homeless statistics published since 2014 continue to be published on a consistent monthly basis. These figures – derived from PASS and covering all people provided with emergency homeless accommodation under Section 10 of the Housing Act (1989) – provide a broadly accurate picture of homelessness which can be published on a monthly basis without undue administrative cost. They provide an insight into the nature and scale of the homelessness challenge which is invaluable to the work of local authorities, voluntary organisations and central government.
2. The close link between these figures and the challenges/costs that face local government should not be lost through the introduction of extraneous conceptual questions about home and homelessness which take up inordinate amounts of administrative time but do not materially influence the broad picture provided by the 2014 series.
3. While the current statistical series is not a perfect measure of homelessness, the search for such a perfect measure is time consuming and futile, and is of little value in addressing the current crisis.

4. Innovative measures adopted by local authorities to use Section 10 funding to prevent homelessness raise some categorisation issues which need to be addressed to maintain the current series. The decision to respond to some of these issues in the March figures, prior to any consultation or the completion of relevant reports, has inadvertently undermined confidence in the reliability of the current measures. Any reduction in the credibility of the figures will ultimately lead to a loss of credibility in the measures being taken to address the problem and make solving the homeless crisis more difficult. To address this the Minister should reconvene the 'Data Sub-Group' of the National Consultative Committee on Homelessness, to consider the pending report from the DRHE and other material and to advise on how/whether the basis for the homeless statistics should be revised.
5. As a temporary measure and pending the outcome of this process, the March Homeless Data release should be revised to include a detailed footnote explaining the changes in categorization which have been introduced between the February release and the March release.
6. No further changes should be made to the basis for collecting and publishing homeless statistics and the reports should continue to be published on a regular monthly basis until this review process is complete.

References

Busch-Geertsema, V., 2010. Defining and measuring homelessness. Homelessness Research in Europe: Festschrift for Bill Edgar and Joe Doherty, pp.19-39.

O'Connor, N. (2008) Can we Agree the Number of People who are Homeless (and does it really matter?). In Downey, D. (Ed) Perspectives on Irish Homelessness : Past, Present and Future. (Dublin: Homeless Agency) pp. 58-63

Ends